

# EXHIBIT 4

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**Electronically Filed**  
**FIRST CIRCUIT**  
**1CCV-24-0001560**  
**27-JAN-2025**  
**02:30 PM**  
**Dkt. 67 MOT**

Attorneys for Plaintiff JANE DOE WHBE 3

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

UBER TECHNOLOGIES, INC., a  
Delaware corporation; RAISER, LLC, a  
Delaware limited liability company,

Plaintiff,

vs.

WILLIAM MURRAY, JOHN ROES 1-  
100, JANE ROES 1-100, ROE  
CORPORATIONS 1-100, ROE  
PARTNERSHIPS 1-100, and ROE  
ENTITIES 1-100,

Defendant.

) CIVIL NO. 1CCV-21-0001121  
) (Other Non-Vehicle Tort)  
)

) PLAINTIFFS' MOTION FOR ADMISSION  
) *PRO HAC VICE* OF WALT CUBBERLY;  
) DECLARATION OF COUNSEL;  
) DECLARATION OF WALT CUBBERLY;  
) NOTICE OF HEARING AND  
) CERTIFICATE OF SERVICE  
)

) Hearing:

) Date: \_\_\_\_\_

) Time: \_\_\_\_\_  
)

) Judge: Honorable John M. Tonaki  
)

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JANE DOE WHBE 3,	)	CIVIL NO. 1CCV-24-0001560 (JMT)
	)	(Other Non-Vehicle Tort)
Plaintiff,	)	
vs.	)	PLAINTIFFS' MOTION FOR ADMISSION
	)	<i>PRO HAC VICE</i> OF WALT CUBBERLY;
UBER TECHNOLOGIES, INC.,	)	DECLARATION OF COUNSEL;
	)	DECLARATION OF WALT CUBBERLY;
Defendant.	)	NOTICE OF HEARING AND
	)	CERTIFICATE OF SERVICE
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PLAINTIFFS' MOTION FOR ADMISSION *PRO HAC VICE* OF WALT CUBBERLY

COME NOW Plaintiff, by and through their attorneys, Galiher DeRobertis & Waxman LLP, pursuant to Rule 1.9 of the Rules of the Supreme Court of the State of Hawai'i; Rule 7 of the Hawai'i Rules of Civil Procedure; Rule 7 of the Rules of the Circuit Courts of the State of Hawai'i, and hereby moves this Court for an Order allowing attorney **Walt Cubberly** of **Williams Hart & Boundas, LLP**, to appear *pro hac vice* in this Court on behalf of Plaintiff.

This Motion is based upon the attached Declaration of Ilana K. Waxman and Declaration of Walt Cubberly attached hereto and incorporated herein by reference, and the records and files herein.

Respectfully submitted,

/s/ Ilana K. Waxman  
 ILANA K. WAXMAN  
 L. RICHARD DeROBERTIS  
 ALLISON M. AOKI  
 ALYSSA R. SEGAWA  
 CHRISTOPHER JOHNSON  
 ELIZABETH A. NARDI  
 VICTORIA M. CHANG  
 Attorneys for Plaintiff

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

UBER TECHNOLOGIES, INC., a	)	CIVIL NO. 1CCV-21-0001121
Delaware corporation; RAISER, LLC, a	)	(Other Non-Vehicle Tort)
Delaware limited liability company,	)	
	)	
Plaintiff,	)	DECLARATION OF COUNSEL
	)	
vs.	)	
	)	
WILLIAM MURRAY, JOHN ROES 1-	)	
100, JANE ROES 1-100, ROE	)	
CORPORATIONS 1-100, ROE	)	
PARTNERSHIPS 1-100, and ROE	)	
ENTITIES 1-100,	)	
	)	
Defendant.	)	
	)	
	)	
	)	

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JANE DOE WHBE 3,	)	CIVIL NO. 1CCV-24-0001560 (JMT)
	)	
Plaintiff,	)	
	)	
vs.	)	
	)	
UBER TECHNOLOGIES, INC.,	)	
	)	
Defendant.	)	
	)	
	)	
	)	

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DECLARATION OF COUNSEL

I, ILANA K. WAXMAN, declare as follows:

1. I am an attorney duly licensed to practice law in the State of Hawai‘i, and I am an attorney at Galiher DeRobertis & Waxman LLP, attorneys for Plaintiff in the above-captioned matter.

2. Galiher DeRobertis & Waxman LLP is located at 820 Mililani Street, Suite 505, Honolulu, Hawai‘i 96813, and this address shall remain the address for service of documents upon Plaintiff.

3. I shall meaningfully participate in court proceedings in the preparation for trial and in a trial of this matter, and I understand that I am the attorney of record and am responsible for all phases of the litigation.

4. Walt Cubberly, Esq. is an experienced attorney and has been asked by Plaintiff to assist in the trial of this case. Mr. Cubberly is one of three co-leads of the consolidated action in California. He is an associate at WHB, and his firm represents hundreds of women who were sexually assaulted by Uber’s drivers. He is also counsel of record for women who were sexually assaulted by Uber’s drivers in other jurisdictions across the country, including Texas, Missouri, and Pennsylvania. Mr. Cubberly has worked with the Plaintiff in this action for years and is familiar with her case and her damages. He possesses specialized and extensive knowledge, which will be very helpful in addressing the issues raised in this matter. His admission as pro hac vice counsel would be of great assistance in conducting depositions of various experts in this case and in preparation for the case at trial.

5. Pursuant to Rule 1.9 of the Rules of the Supreme Court of the State of Hawai‘i, Plaintiff wishes to have Mr. Cubberly permitted to associate with the law firm of Galiher DeRobertis & Waxman LLP in connection with the prosecution of the claims brought by Plaintiff

in the matter of *Jane Doe WHBE 3 vs. Uber Technologies, Inc.*, Civil No. 1CCV-24-0001560, Circuit Court of the First Circuit, State of Hawai‘i.

6. Pursuant to the *Order of Case Reassignment* filed on January 24, 2025, the matter of *Jane Doe WHBE 3 vs. Uber Technologies, Inc.*, Civil No. 1CCV-24-0001560 has been reassigned from the Honorable Shirley M. Kawamura, Judge of the Twelfth Division, to the Honorable John M. Tonaki, Judge of the Fourth Division. Accordingly, Plaintiff also wishes to have Ms. Lecoke permitted to associate with the law firm of Galiher DeRobertis & Waxman LLP in connection with *Uber Technologies, Inc., v. William Murray, et. al.*, Civil No. 1CCV-21-0001121, Circuit Court of the First Circuit, State of Hawai‘i.

7. The appearance and participation of Mr. Cubberly as *pro hac vice* counsel will neither hinder nor delay the litigation of this case, but rather, will facilitate the completion of depositions of experts, which is in his area of expertise and assist in preparation of this case for trial.

8. I request that this Honorable Court grant this motion for admission *pro hac vice* in order that Walt Cubberly, Esq. may be permitted to practice in the State of Hawai‘i in connection with Civil No. 1CCV-24-001560 (JMT) and Civil No. 1CCV-21-0001121, Circuit Court of the First Circuit, State of Hawai‘i.

9. This Declaration is offered in support of *Plaintiffs’ Motion for Admission Pro Hac Vice of Walt Cubberly*.

I declare under penalty of perjury that the foregoing is true and correct.

DATED: Honolulu, Hawai‘i, January 27, 2025.

/s/ Ilana K. Waxman  
ILANA K. WAXMAN

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

UBER TECHNOLOGIES, INC., a	)	CIVIL NO. 1CCV-21-0001121
Delaware corporation; RAISER, LLC, a	)	(Other Non-Vehicle Tort)
Delaware limited liability company,	)	
	)	DECLARATION OF WALT CUBBERLY
Plaintiff,	)	
	)	
vs.	)	
	)	
WILLIAM MURRAY, JOHN ROES 1-	)	
100, JANE ROES 1-100, ROE	)	
CORPORATIONS 1-100, ROE	)	
PARTNERSHIPS 1-100, and ROE	)	
ENTITIES 1-100,	)	
	)	
Defendant.	)	
	)	
	)	
	)	

JANE DOE WHBE 3,	)	CIVIL NO. 1CCV-24-0001560 (JMT)
	)	
Plaintiff,	)	
vs.	)	
	)	
UBER TECHNOLOGIES, INC.,	)	
	)	
Defendant.	)	
	)	
	)	
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DECLARATION OF WALT CUBBERLY

I, WALT CUBBERLY, declare:

1. I am not a resident of the State of Hawai'i.

2. My business address and the address of my law firm 8441 Gulf Freeway, Suite 600, Houston, Texas 77017-5051. The name of my law firm is Williams Hart & Boundas, LLP.

3. I have been admitted to practice law in the following jurisdictions:

Court:

The State of Texas:	2009
The State of California:	2019
The State of Missouri:	2020
The State of Pennsylvania:	2021
The State of Illinois <i>Pro Hac Vice</i>	2020

4. I am in good standing in every jurisdiction where I am admitted to practice law, and there are no disciplinary proceedings pending against me, and I have never been the subject of any disciplinary proceeding. I am not currently, nor have I ever been, suspended or disbarred from the practice of law before any court.

5. I have not sought an application for admission *pro hac vice* in any case filed in the State of Hawai‘i or in any non-court proceeding in this State.

6. I hereby seek admission *pro hac vice* before this court with respect to *Jane Doe WHBE 3 vs. Uber Technologies, Inc.*, Civil No. 1CCV-24-0001560, Circuit Court of the First Circuit, State of Hawai‘i, and *Uber Technologies, Inc., v. William Murray, et. al.*, Civil No. 1CCV-21-0001121, Circuit Court of the First Circuit, State of Hawai‘i as an associate counsel with Galiher DeRobertis & Waxman LLP, 820 Mililani Street, Suite 505, Honolulu, Hawai‘i 96813, in said case.

7. I understand that, if admitted, I will comply with all applicable Hawai‘i statutes, laws, and rules of the courts including the Hawai‘i Rules of Professional Conduct, the Guidelines of Professional Courtesy and Civility for Hawai‘i Lawyers, and payment of *pro hac vice* fees within ten days of the Order granting my petition.



8. I further understand that, if admitted, I am subject to all applicable Hawai'i statutes, laws, rules of the court, and the Hawai'i disciplinary process with respect to any acts or omissions occurring during my representation of Plaintiff in *Jane Doe WHBE 3 vs. Uber Technologies, Inc.*, Civil No. 1CCV-24-0001560, Circuit Court of the First Circuit, State of Hawai'i, and *Uber Technologies, Inc., v. William Murray, et. al.*, Civil No. 1CCV-21-0001121, Circuit Court of the First Circuit, State of Hawai'i

9. I declare under penalty of perjury that the foregoing is true and correct.

DATED: Honolulu, Hawai'i, January 27, 2025.

/s/ Walt Cubberly  
WALT CUBBERLY

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

UBER TECHNOLOGIES, INC., a	)	CIVIL NO. 1CCV-21-0001121
Delaware corporation; RAISER, LLC, a	)	(Other Non-Vehicle Tort)
Delaware limited liability company,	)	
	)	NOTICE OF HEARING AND CERTIFICATE
Plaintiff,	)	OF SERVICE
	)	
vs.	)	
	)	
WILLIAM MURRAY, JOHN ROES 1-	)	
100, JANE ROES 1-100, ROE	)	
CORPORATIONS 1-100, ROE	)	
PARTNERSHIPS 1-100, and ROE	)	
ENTITIES 1-100,	)	
	)	
Defendant.	)	
	)	
	)	
	)	

JANE DOE WHBE 3,	)	CIVIL NO. 1CCV-24-0001560 (JMT)
	)	
Plaintiff,	)	
	)	
vs.	)	
	)	
UBER TECHNOLOGIES, INC.,	)	
	)	
Defendant.	)	
	)	
	)	
	)	

NOTICE OF HEARING

TO: UBER TECHNOLOGIES, INC.

NOTICE IS HEREBY GIVEN that the Motion for Admission *Pro Hac Vice* of Walt Cubberly shall come on for hearing before the Honorable John M. Tonaki, Judge of the above-entitled Court, in his courtroom at the Circuit Court of the First Circuit, Courtroom 11, 4<sup>th</sup> Floor, Kaahumanu Hale, 777 Punchbowl Street, Honolulu, Hawaii 96813, on the \_\_\_\_\_

day of \_\_\_\_\_ 202\_\_ at 1:00 \_\_\_\_:\_\_\_\_.m., or as soon thereafter as counsel may be heard.

If you fail to appear at the hearing, the relief requested may be granted without further notice to you.

DATED: Honolulu, Hawai‘i, January 27, 2025.

/s/ Ilana K. Waxman  
ILANA K. WAXMAN  
L. RICHARD DeROBERTIS  
ALLISON M. AOKI  
ALYSSA R. SEGAWA  
CHRISTOPHER JOHNSON  
ELIZABETH A. NARDI  
VICTORIA M. CHANG  
Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing document was duly served electronically through the Judiciary Electronic Filing System (JEFS) on all parties registered to receive service on the date noted below:

DATED: Honolulu, Hawai‘i, January 27, 2025.

/s/ Ilana K. Waxman

ILANA K. WAXMAN

L. RICHARD DeROBERTIS

ALLISON M. AOKI

ALYSSA R. SEGAWA

CHRISTOPHER JOHNSON

ELIZABETH A. NARDI

VICTORIA M. CHANG

Attorneys for Plaintiff